

Following a Work Session, the Regular Session was **called to order at 7:09 P.M.**, by Mayor Stone with Councilmembers Simillion, McKenna and Hart present along with Acting City Manager Hannon, City Clerk Davidson, Finance Director Hanson, Parks & Recreation Director Ampietro, Public Works Director Coleman, City Engineer Zerger, City Planner Cullis, several interested citizens and the press. Mayor Pro Tem Harriman was absent due to illness and City Manager Collins was absent, he was attending a Colorado Municipal League Legislative Workshop in Denver.

Consideration of Minutes**Regular Session Minutes of January 28, 2003**

Councilmember Simillion moved and Councilmember Hart seconded the motion to approve the Regular Session minutes of January 28, 2003, as submitted.

Roll call vote, yes: Simillion, Stone, McKenna, Hart. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Instructions for City Attorney/City Staff; Re: Request for Deviation from LDC Road and Sidewalk Standards by Perry Anderson. Acting City Manager Hannon clarified for Council the procedure for reviewing Mr. Anderson's request to deviate from the Standards. If Council decides to grant the deviations from the Land Development Code (LDC), a motion should be made to direct the City Attorney and Staff to draft a resolution with findings of fact for Council's approval. If Council decides to deny the request for deviations, then a motion to deny is all that is needed.

City Planner Cullis reviewed the Staff report recommending denial of the request to deviate from the LDC Road and Sidewalk Standards.

Councilmember Simillion stated he is in favor of the 25 foot road width but stated the paving is very costly and he doesn't see that it has to be done.

Councilmember McKenna stated that other projects have been required to pave private roads and he is in favor of paving a 25 foot road. Councilmember Hart concurred.

Mayor Stone stated he wants the 25 foot width, which is especially needed in a normal snow year. He also thinks the roadway should be paved, as this is the standard and we should stick with it.

The applicant, Perry Anderson, came forward and asked to withdraw his request. He would like to propose using a chip/seal road surface instead of the red granite surface he proposed or the hot mix asphalt as specified.

City Engineer Zerger stated that chip/seal will not meet the existing road specifications. The specifications would need to be modified if Council wants to change those requirements for a low volume road. Council would make that decision with input from the Planning & Zoning Commission.

Applicant Perry Anderson again requested to withdraw his application. He stated he would resubmit his plan. Mayor Stone thanked Mr. Anderson. **No action was taken.**

Adoption of Narrowing of City Rights-of-Way Policy. City Planner Cullis reviewed the three modifications that had been made to the policy. These were changes that Council had requested at the January 14, 2003, Regular Session meeting.

Councilmember Simillion moved and Councilmember Hart seconded the motion to accept the proposed Narrowing of Rights-of-Way Policy.

Roll call vote, yes: Stone, McKenna, Hart, Simillion. So carried.
Roll call vote, no: None.

Presentation of City's May 13, 2003, General Election Calendar. City Clerk Davidson informed Council the General Election Calendar in their packets reflects the calendar for a mail ballot election. She is requesting the General Election on May 13, 2003, be conducted as a mail ballot election and a resolution will come forward at the February 25, 2003, Regular Session for Council's approval of this type of election. No action was necessary on this item. Mayor Stone thanked the Clerk for the calendar.

Preliminary 2002 Year-End Financial Report. Finance Director Hanson came forward and reviewed the 2002 year-end financial report. The Capital Improvements expenses will come in under budget after adjustments are made due to the storage shed lease agreement. Net revenues over expenses should be approximately \$300,000 for year 2002. Revenues received in the Conservation Trust fund were \$3,062 over the projected budget. This resulted in a net increase in cash balance of \$9,697. The Fleet Maintenance fund had decreased revenues producing a reduction in the cash balance of \$45,690. Purchased power cost an additional \$92,084 over the budgeted amount. A net decrease in cash in the Electric Enterprise fund will be slightly over \$400,000. Revenues in the Water and Sewer funds saw an increase. The Communications fund is still waiting for two sizeable payments for 2002. Overall, there are still some revenues to be received from the State and a few expenses will be added against 2002. This is an unaudited report, so it is still subject to some adjustments. No action was necessary on this item. Mayor Stone and the Council thanked Finance Director Hanson for her report.

Ordinance and Resolutions:

Ordinance No. 1, Series 2003; Re: Vacation of the Northern 15 feet of a Portion of Virginia Avenue Located Within the City Shops Property, 1st Reading.

Councilmember Simillion introduced Ordinance No. 1, Series 2003, and it was read by title only by the City Attorney.

City Attorney Landwehr and Public Works Director Coleman explained this is essentially the same ordinance that was presented to Council almost a year ago. Council accepted the recommendation from the Planning Commission to approve the vacation application on April 23, 2002, and instructed the City Attorney to draw up the necessary vacation ordinance. Since that time, Mr. Anderson has requested the City not vacate the entire width of the right-of-way, but rather leave a right-of-way that could provide access to his adjoining property in the future. The City Attorney and Public Works Director complied with this request and made sure the vacation of the northern 15 feet of the right-of-way complied with the proposed Narrowing of City Rights-of-Way Policy that was adopted by Council this evening. Rick Miller had called the Community Development Director to ask if this vacation complied with the new policy. He was informed the vacation does in fact conform to the newly adopted policy.

Councilmember Simillion moved and Councilmember Hart seconded the motion that Ordinance No. 1, Series 2003, **AN ORDINANCE VACATING THE NORTHERN MOST FIFTEEN FEET OF WEST VIRGINIA AVENUE LYING ADJACENT TO THE SOUTHERN BOUNDARY OF LOTS 8 THROUGH 12, BOTH INCLUSIVE, BLOCK 106, AND ADJACENT TO THE SOUTHERN BOUNDARY OF THE EAST ONE-HALF OF PREVIOUSLY VACATED SIXTH STREET, ALL ACCORDING TO THE OFFICIAL AMENDED PLAT OF TOWN OF WEST GUNNISON**, be introduced, read, passed and ordered published on 1st reading, this 11th day of February, 2003.

Roll call vote, yes: McKenna, Hart, Simillion, Stone. So carried.
Roll call vote, no: None.

City Attorney: Nothing to report.

City Manager: Out of Town.

Acting City Manager: Community Development Director Hannon: Informed Council her McPort will be coming out this week. She was out of town with a family emergency last week. Director Hannon then reminded Council of the County's Airport Business Park meeting on Thursday, February 13, at 7:00 P.M. at the County's multi-purpose building.

City Clerk Davidson: Asked Council if anyone would be attending the County's Business Park meeting on Thursday evening. Councilmembers Simillion and McKenna indicated they may attend. The City Clerk will post a meeting notice for that evening. City Clerk Davidson then asked Council if they had any topics they wanted added to the agenda for the Joint City Council/Planning and Zoning Commission Work Session on February 18th. Mayor Stone asked that a discussion on procedures for deviations from Land Development Code Improvement Standards be placed on the agenda.

Non-Scheduled Citizens: None.

General Discussion/Items for Work Sessions:

Councilmember Hart: Reported the Customer Service Work Team met on February 6, and Tracy Meehan was given the January ESP Employee Award. Employee Spanish classes will be offered starting the first week of March. Councilmember Hart then reported on the February 5, 2003, Planning Commission Special Session meeting. The Commission discussed two development plans from Steve Meldrum for a motel in the Wilson Subdivision. Mr. Meldrum was instructed to resubmit an infrastructure plan and a new access plan.

Councilmember Simillion: Nothing to report.

Councilmember McKenna: Informed Council he attended the Mayors'/Managers' meeting last Thursday. The City Manager has prepared a memo about the meeting and he will get that to Council.

Mayor Stone: Thanked Staff for their work on the Deviation from Standards application.

City Attorney Landwehr: Requested that a discussion on the sale of City property ballot issue be included on the Work Session agenda for February 18th. He will be available after 8:30 PM. Mayor Stone instructed the City Clerk to place the item on the agenda for 8:45 P.M.

Adjourned: 7:55 P.M.

Mayor

City Clerk